

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

MARTHA BOERSCH (CABN 126569)
Chief, Criminal Division

JONATHAN U. LEE (CABN 148792)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7200
FAX: (415) 436-7234
Jonathan.Lee@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICKY JOSEPH, ET AL,

Defendants.

CASE NO. 4:23-cr-0191-AMO-9

**UNITED STATES' MEMORANDUM IN
SUPPORT OF DETENTION OF RICKY
JOSEPH**

I. INTRODUCTION

At the initial appearance, the United States moved for pretrial detention of Defendant Ricky Joseph on the grounds of danger to the community and risk of non-appearance. Given the nature of the offense conduct—armed, coordinated robberies where victims are put in fear of deadly violence; the weight of the evidence relating to the offense conduct; Mr. Joseph's history and characteristics, including his multiple prior convictions and his criminal conduct while on supervision; violent, uncharged conduct involving potential sex trafficking and involvement in a homicide in late 2023; and

his allegiance to the Ghost Town gang, Mr. Joseph should be detained as a danger to the community.

Pretrial Services recommends detention based on danger to the community.

II. OFFENSE CONDUCT

The operative charging document is the Second Superseding Indictment, filed August 22, 2024, which charges nine defendants with violations Title 18, United States Code, Section 1951(a) – Conspiracy to Engage in Robbery Affecting Interstate Commerce; and Title 18, United States Code, Section 1951(A), 2 – Robbery and Aiding and Abetting Robbery Affecting Interstate Commerce. One defendant is also charged with violations of Title 18, United States Code, Section 1029(a)(1) – Counterfeit Access Device Fraud; and Title 18, United States Code, Section 1029(a)(5) – Access Fraud.

Defendant Ricky Joseph is charged in Count One alleging Conspiracy to Engage in Robbery Affecting Interstate Commerce and Count Two alleging Robbery and Aiding and Abetting Robbery Affecting Interstate Commerce.

Of the other eight defendants, two entered guilty pleas to Counts One through Four on December 17, 2024, and one remains under seal.

III. LEGAL STANDARD

Detention pretrial is appropriate where “the judicial officer finds that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person in the community.” 18 U.S.C. § 3142(e)(1). Detention is appropriate where a defendant is *either* a danger to the community *or* a flight risk; it is not necessary for the government to prove both. *United States v. Motamedi*, 767 F.2d 1403, 1406 (9th Cir. 1985). A finding that a defendant is a danger to the community must be supported by clear and convincing evidence, but a finding that a defendant is a flight risk need only be supported by a preponderance of the evidence. *Id.* “[T]he Bail Reform Act mandates an individualized evaluation guided by the factors articulated in § 3142(g).” *United States v. Diaz-Hernandez*, 943 F.3d 1196, 1199 (9th Cir. 2019). Those factors include: the nature and circumstances of the offense charged; the weight of the evidence against the defendant; the history and characteristics of the defendant, including the defendant’s character, physical and mental condition, family and community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings, as well as whether the crime

1 was committed while the defendant was on probation or parole; and the nature and seriousness of the
2 danger to any person or to the community that would be posed by the defendant's release. 18 U.S.C.
3 § 3142(g); *United States v. Winsor*, 785 F.2d 755, 757 (9th Cir. 1986).

4 **IV. ARGUMENT**

5 The weight of the evidence is very strong. Mr. Joseph's DNA was found on a piece of glove
6 recovered inside the Robert Johnson Coin Store after the robbery. His phone number moved in concert
7 with his co-conspirators before and after that robbery. He had phone calls with some of those same
8 individuals before and after the robbery. For example, Mr. Joseph had one call and four texts with co-
9 defendant Demarco Barnett in the two hours before the robbery, and their phones moved from Oakland
10 to San Francisco and back to Oakland. Mr. Barnett pled guilty to this charge on December 17, 2024.
11 Similarly, although he is not charged in Count Four, Mr. Joseph's phone location information confirms
12 he participated in the Joyus robbery on December 24, 2022.

13 The offense conduct was violent. In brief, during the March 18, 2022 coin store robbery in San
14 Francisco (Count Two), the robbers used force and brandished firearms to gain control over two adult
15 victims who worked at the coin store. The zip-tied the hands of one victim and struck him on the head
16 with a firearm. Similarly, in the December 24, 2022 marijuana business robbery in Oakland (Count
17 Four), the robbers approached the employee victim as he was leaving the premises, about to drive away
18 in his vehicle. At gunpoint, the robbers forced the victim back inside the business. They demanded the
19 marijuana inventory and cash. They led the victim throughout the business, still at gunpoint, and they
20 struck the victim on the head with a firearm.

21 Mr. Joseph has a lengthy criminal history. According to the criminal history report, he has five
22 prior felony convictions from 2009 to 2018. His offenses of conviction include multiple burglaries in
23 different counties in California, including Alameda, Santa Clara, and Los Angeles. He also sustained a
24 conviction for evading a peace officer in 2009.

25 Mr. Joseph's criminal activity continued during times when he was on probation, parole, or
26 supervision. He has multiple violations of probation in his record. He received additional jail time for
27 violations in 2013 (nine months) and 2015 (six months).

28 Mr. Joseph is suspected of involvement in additional, uncharged offense conduct, including most

1 recently sex trafficking in November 2023. The FBI received a report that Mr. Joseph rented a room at
2 the Rodeway Inn in Alameda, California. He rented the room on November 1, 2023 and checked out
3 three days later. Mr. Joseph and an adult female with a different surname (and not related to Mr.
4 Joseph) were listed on the rental agreement. Investigators learned that Mr. Joseph, the adult female, a
5 minor female (also not related to Mr. Joseph), two unknown females, three unknown males, and another
6 adult male named Adesola Kehinde were seen entering or exiting the room during the rental period.¹

7 Mr. Joseph is also suspected of involvement in a homicide on August 20, 2023 in Oakland. Mr.
8 Joseph and other Ghost Town members including co-defendant Aramiya Burrell were gathered in the
9 500 block of 19th Street in Oakland. The group waited in and next to several vehicles for over an hour
10 before the victim drove by in another vehicle. When that target drove past the scene at 0246 hours, Mr.
11 Joseph, Mr. Burrell, and the others got into their vehicles. The caravan of vehicles pursued the target,
12 and the homicide occurred within a few minutes. Mr. Joseph and his co-defendant Burrell were not in
13 the vehicle that pulled alongside the victim and whose occupants carried out the homicide.

14 Mr. Joseph is suspected of involvement in a burglary in West Sacramento in September 2022.
15 Investigators believe that a group of unknown suspects committed the robbery of a marijuana
16 dispensary. A blood stain at the scene was swabbed for DNA, and it came back to Mr. Joseph.

17 Mr. Joseph has shown an ability to move around the region and avoid detection. His address
18 history is somewhat inconsistent. His spouse told investigators in March 2024 that Mr. Joseph did not
19 live at the Rosa Parks Lane address, had not lived there since October 2023, and that she was in the
20 process of divorcing Mr. Joseph. Surveillance efforts did not locate Mr. Joseph at that address. The
21 government obtained a ping warrant for his phone, which showed Mr. Joseph moving around the Bay
22 Area in Oakland, San Francisco, and San Jose areas. Mr. Joseph was then arrested at the Rosa Parks
23 address, and after his arrest, he told agents that he had recently traveled to Nevada to visit another Ghost
24 Town gang member. Mr. Joseph's spouse informed the West Sacramento PD investigator of his use of
25 another address on Isabella Street in Oakland.

26
27 ¹ Kehinde was later charged with being a felon in possession of a firearm and ammunition on
28 January 9, 2024 when officers conducted a registered sex offender check and parole search of Kehinde
and found him in the driver's seat of a vehicle with a minor female in the back seat. Kehinde entered a
guilty plea to this charge on December 16, 2024. CR 24-0251 AMO, Dkt. No. 46.

1 The government has no indication of steady employment for Mr. Joseph. He reported to agents
 2 that he works in the Tenderloin in San Francisco for Safe Streets (Urban Alchemy). When agents
 3 examined his cell phone, they found a text thread in which Mr. Joseph shared a photo of a man wearing
 4 a watch. Mr. Joseph asked “Is that a roll?” and in response Turner (known to law enforcement as a
 5 Ghost Town member) said, “yup” and “look like it.” Mr. Joseph then texted, “Easy one.” Mr. Turner:
 6 “wya.” Mr. Joseph then stated he was at “Turk” “801”.

7 Mr. Joseph’s phone also contained a photograph of a white female’s driver’s license and credit
 8 cards and, separately, an image of a firearm with an extended magazine. His cell phone also contained a
 9 text exchange with another individual who shared images of a decapitated corpse apparently meant to
 10 threaten Mr. Joseph over a dispute concerning communication with females. The texter stated in part,
 11 “Iam (sic) Contacting you because I Have Reports of you texting my girls and not making any
 12 reservation (sic) Get in contact With me Asap” above a photo of a severed head and limbs.

13 Mr. Joseph has a tattoo indicative of membership in Ghost Town, and he has indicated his
 14 association to the gang for jail housing classification.

15 **V. CONCLUSION**

16 The United States respectfully requests that the Court detain Mr. Joseph. The government is also
 17 concerned that Mr. Joseph’s exposure to a long sentence, inconsistent residential address history, and
 18 potential use of aliases may create an elevated risk of non-appearance. However, the danger to the
 19 community is the government’s overriding concern.

21 DATED: December 17, 2024

Respectfully submitted,

22 ISMAIL J. RAMSEY
 23 United States Attorney

24 /s/ Jonathan U. Lee
 25 JONATHAN U. LEE
 26 Assistant United States Attorney